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Analysis of complaints

From 1 October 2009 to 31 March 2010 the Unit reached findings on 132 complaints concerning 125 items (normally a single broadcast or webpage, but sometimes a broadcast series or a set of related webpages). Topics of complaint were as follows:

Table 1

Topics of Complaint	Number of Complaints	Number of Items
Harm to individual/organisation (victim complaint)	9	9
Harm to individual/organisation (3 rd party complaint)	4	4
Political bias	10	9
Other bias	34	32
Factual inaccuracy	25	23
Offence to public taste	16	16
Violence	3	1
Sensitivity and portrayal	3	3
Racism	4	4
Offence to religious feeling	4	4
Bad example (adults)	1	1
Bad example (children)	2	2
Standards of interviewing/presentation	4	4
Commercial concerns	9	9
Other	2	2
Total	132	125

In the period 1 October 2009 to 31 March 2010, 17 complaints were upheld (5 of them partly) – 13% of the total. Of the items investigated in the quarter, complaints were upheld

against 15 items (12% of the total). One complaint was resolved. This report contains summaries of the findings in those cases.

Standards of service

The Unit's target is to deal with most complaints within 20 working days of receiving them. A target of 35 days applies to a minority of cases (7 in this period) which require longer or more complex investigation. During the period 1 October to 31 March, 82% of replies were sent within their target time.

Summaries of upheld complaints

Credit Crash Britain, BBC2, 13 November 2008

Complaint

Two viewers complained that a comparison between the yield from home-ownership between 1980 and 2000 and the return on investing a similar amount of capital in equities while renting one's home had been incorrectly conducted, and that the conclusion that the renter-investor would have done better than the home-owner was seriously misleading. The ECU did not uphold the complaints in the first instance, but re-opened its investigation in response to further representations from the complainants.

Outcome

The programme's overall point was that home-ownership was not necessarily or always the most profitable investment, and it used a model, constructed by a financial magazine and applied to various periods, to demonstrate it. The ECU found that, while a model based on realistic assumptions *might* show an advantage for the renter-investor over the period 1980-2000, the model as presented by the programme did not do so. To the extent that the programme was unable to substantiate its claim, it fell short of the requirement of the Editorial Guidelines that BBC output be "*based on sound evidence [and] thoroughly tested*". However, as it had been able to substantiate the overall point by reference to other periods, viewers would not have been seriously misled in the way the complainants feared.

Partly upheld

Further action

The programme will not be repeated in its present form.

Radio 1 presents Coldplay

U2 = BBC

Zane Lowe, Radio 1, 23 February 2009

Complaint

RadioCentre (the trade body for commercial radio companies in the UK) complained that BBC coverage of a Coldplay tour and later coverage of U2 at the time of the launch of their new album had in each case cumulatively amounted to undue prominence for commercial products or organisations, and that several specified items (including the "Radio 1 presents Coldplay" website, the on-screen graphic "U2 = BBC" and an edition of **Zane Lowe**) had breached relevant BBC guidelines. The ECU investigated the complaint as it related to the specified items.

Outcome

The "Radio 1 presents Coldplay" website included direct links to the websites of ticket agents. This was not in keeping with the BBC's guidelines on links to external websites.

Upheld

The use of the mathematical symbol for identity in the graphic “U2 = BBC” gave an inappropriate impression of endorsement.

Upheld

A pre-recorded interview between Zane Lowe and Bono of U2 was for the most part appropriate, but a reference to Radio 1 being “*part of launching this new album*” was not.

Upheld

Complaints about an edition of Jo Whiley (Radio 1, 27 February 2009) and a News Online report of the U2 concert on the roof of Broadcasting House were not upheld.

Further action

The management of BBC Audio & Music had arranged for the removal of the links from “Radio 1 presents Coldplay” to the websites of ticket agents in response to RadioCentre’s original representations. The finding on Zane Lowe has been discussed at the Radio 1/1xtra editorial meeting. In addition, the Radio 1 leadership team have reminded Executive Producers and presenters about the issues to be considered in relation to judgements about undue prominence, and the distinction between the reporting of new artistic work and commercial promotion.

The management of BBC Marketing, Communication and Audiences (the Division responsible for the “U2 = BBC” graphic) has reminded all staff of the need to consult the Editorial Policy team in a timely manner for advice when potentially sensitive issues such as commercial interests are involved. A session on working with third parties will be included in MC&A’s monthly editorial issues training programme.

Top Gear, BBC2, 5 July 2009

The Managing Director of Proton Cars (UK) complained that a car provided by the company had been reviewed in an unfair and inaccurate manner, and that, elsewhere in the programme, it had been shown in the context of a political protest – a use for which he had not given permission.

Outcome

The review of the car, though unfavourable, was not inaccurate, and was within the bounds of fair comment. However, the company had been invited to supply the vehicle for the purpose of a comparison of budget cars, and it should not have been used for a different purpose for which no consent had been sought or given.

Partly upheld

Further action

The programme has been edited in the light of the finding, and will not be re-broadcast in its original form.

Top Gear, BBC2, 26 July 2009

Complaint

A viewer complained that Jeremy Clarkson, introducing a member of the group AC/DC, had incorrectly said that the group had sold more records than the Beatles.

Outcome

A representative of the group confirmed to the ECU that there was no basis for such a statement (which may have arisen from a misunderstanding of the information that AC/DC had outsold the Beatles in the US during 2008).

Upheld

Further action

The programme has been edited in the light of the finding, and will not be re-broadcast in its original form.

Trail and announcement for In Living Memory, Radio 4, 5 August 2009

Complaint

The programme dealt with the circumstances leading to the introduction of Section 28 of the Local Government Act 1988 ("Clause 28", which prohibited the teaching in state schools of the acceptability of homosexuality as a "pretended family relationship") and the controversy surrounding it. A trail for the programme described the law as "*notorious*" and "*infamous*", and the word "*infamous*" was also used in the announcement preceding the programme. A listener complained that the use of such pejorative terms was inconsistent with the BBC's commitment to due impartiality in controversial matters.

Outcome

Although opinion has shifted (as illustrated by David Cameron's apology for the introduction of the measure by a Conservative government), it was clear from some of the contributions to the programme itself that the matter is not beyond controversy. The use of the words complained of was therefore inappropriate.

Upheld

Further action

Radio 4 management will send a reminder to production staff that the guidelines on impartiality and accuracy apply as much to promotions as they do to the whole programme - and that this judgement needs to be balanced against the promotional desire to make the programme sound attractive and vital.

While the primary editorial responsibility for the content of promotional material supplied to the network rests with the production department which supplies it, Radio 4 will also remind its presentation team about sensitivity to possibly contentious trail content and encourage them to check with the producer on wording if they are in doubt.

Bang Goes the Theory, BBC1, 24 August 2009

Complaint

The programme included a demonstration by one of the presenters of the effect on the voice of inhaling helium, conducted in front of a small audience, mostly composed of children, at a fairground. A viewer complained that it had not been accompanied by adequate safety warnings.

Outcome

The programme-makers had taken safety advice from an appropriate expert, which was reflected in the presenter's words: "*Now I'm going to take a couple of deep breaths at the start because it's quite dangerous so don't do this at home*". However, as the viewer pointed out, a child was heard saying (once during, and once at the end of the demonstration) "*I want to have a go*". In the view of the ECU, this indicated that the presenter's warning had

not been as effective as the programme-makers might have expected, and that a reinforcing warning after the end of the item was needed.

Partly upheld

NOTE: As the complainant pointed out, the item also showed the effect of inhaling sulphur hexafluoride. While not a gas, children would be likely to have access to, it too is dangerous to inhale, and the same safety considerations apply.

Further action

The production team were reminded of the importance of adequate and suitable safety warnings, as stipulated in the editorial guidelines relating to children and dangerous imitation.

Newsbeat, Radio 1, 30 September 2009

Newsbeat website, bbc.co.uk, 1 October 2009

Complaint

Two listeners complained that two interviewees had been introduced simply as “*young guys who are members of the BNP*”, when in fact both had important roles in relation to the party. One of the listeners also complained that they had not been interviewed with sufficient rigour, and a visitor to the **Newsbeat** website made a similar complaint about the edited version of the interview which appeared there.

Outcome

At the time of the interview, one of the interviewees was the BNP’s publicity director and the other ran the record label which promotes and sells BNP CDs. Information about their status was relevant to listeners’ understanding of their contributions, and should have been included. Although not conducted in a confrontational style, the interview did include elements of challenge (in both the broadcast and the online version). However, the concept of British ethnicity, introduced by the interviewees in connection with the example of a black British-born footballer, was not tested in the way its controversial character called for.

Upheld

Further action

The **Newsbeat** team were reminded of the need to ensure that listeners have enough information to assess the status and credentials of interviewees. The Editor of **Newsbeat** also discussed with the team the need for rigorous challenge within interviews of this kind.

You and Yours, Radio 4, 29 October 2009

Complaint

A listener complained that the programme gave the figure for Government debt as £175 billion, whereas this was the figure for the current annual deficit.

Outcome

The programme did confuse the current annual deficit with total Government debt, the two figures being very different. Although the confusion would not have affected listeners’ understanding of the issue under discussion (the sale of student loans), it gave an inaccurate impression on a matter of great political and economic significance.

Upheld

Further action

The Editor discussed the issues arising from the complaint with the programme team, to ensure that there will be no repetition of the error.

Points West, BBC1 (West), 2 and 3 November 2009

A viewer complained that items in both programmes incorrectly referred to the Cheltenham and Gloucester as a building society.

Outcome

As the Cheltenham and Gloucester is now a bank, this was inaccurate; and, as the distinction between banks and building societies was relevant in the context, the inaccuracy was material. However, this had already been acknowledged and apologised for by the programme team, and all staff in the newsroom had been briefed on the importance of accuracy in this respect. In the view of the ECU, this sufficed to resolve the complaint.

Resolved

Jewish man jeered at SOAS university debate, News Online, 17 December 2009

The item reported a claim that a Jewish contributor from the floor had been the subject of anti-Semitic abuse. News Online quickly acknowledged that this claim was contradicted by others present, and replaced the original report with a more accurate account of the situation within 24 hours. However, two people involved in the organisation of the debate complained that this action was insufficient.

Outcome

Although the action taken by News Online would be sufficient to resolve a complaint in most circumstances, in this instance the original report had been reflected in other online items and in the press. In addition to replacing it with a more accurate account of the situation, it should have been made clear to visitors to the page that the original account had been misleading.

Upheld

Further action

A note has been added to the revised article to make clear that the original version had been at fault in reporting the claim of anti-Semitic abuse uncritically. News Online staff have been reminded of the importance of adhering to the guidelines on handling corrections to online material.

Weekend Breakfast, Radio 5 Live, 24 January 2010

The programme included a series of interviews on the Equality Bill (which was about to go before the House of Lords), focusing on the argument about whether churches should be free to deny employment to homosexuals in certain capacities. A listener complained that the presenter had shown bias against the Christian viewpoint as represented in the programme.

Outcome

The presenter's approach to the Christian viewpoint as represented in the programme was more combative than was appropriate in the circumstances, and in marked contrast to his approach to an interview with a representative of Stonewall. Listeners might well have been given the impression that the presenter regarded the Christian position with disfavour (irrespective of whether or not that is in fact his view).

Upheld

Further action

The Editor reviewed the broadcast with both the output editor on the day and the presenter, and discussed with them the way the matter was covered and how the presenter handled the interviews. He stressed the need for care in discussing controversial subjects,

particularly when attempts to play the role of devil's advocate could be misinterpreted as a "personal" approach by the presenter.